

COURT OF APPEAL OF THE STATE OF CALIFORNIA  
FOURTH APPELLATE DISTRICT  
DIVISION ONE  
November 24, 2003

**D041296        People v. Bautista**

The judgment is affirmed. Nares, J.; We Concur: Benke, Acting P.J., O'Rourke, J.

**D040639        Hasso v. Buscemi et al.**

Upon written stipulation filed by the parties to the appeal, the appeal is dismissed and the remittitur is ordered to issue immediately. Each party to bear their own costs on appeal.

**D041875        Pyles v. Hollis-Eden Pharmaceuticals**

Upon written stipulation filed by the parties to the appeal, the appeal is dismissed and the remittitur is ordered to issue immediately. Each party to bear own costs on appeal.

COURT OF APPEAL OF THE STATE OF CALIFORNIA  
FOURTH APPELLATE DISTRICT  
DIVISION ONE  
November 25, 2003

**D040740        People v. Nguyen**

The judgment is affirmed. Irion, J.; We Concur: Huffman, Acting P.J., Aaron, J.

**D041049        Coronado Police Officers' Association v. City of Coronado**

The judgment is affirmed. Each party shall bear its own costs. Huffman, Acting P.J.;  
We Concur: Nares, J., McDonald, J.

**D043190        Panther v. Park et al.**

Pursuant to California Rules of Court, rule 8, the appeal filed October 20, 2003, is dismissed for appellant's failure to timely designate the record.

**D040083        Gonzalez v. Central Union High School District et al.**

The order is affirmed. Huffman, Acting P.J.; We Concur: McDonald, J., Irion, J.

**D042745        V.D. v. The Superior Court of San Diego County/San Diego County Health and  
Human Services Agency**

Let a writ of mandate issue directing the juvenile court to vacate its August 13, 2003, disposition order setting a section 366.26 hearing and to conduct further proceedings to determine if the Agency has now complied with the notice requirements of the ICWA. If after proper inquiry and notice a tribe exercises a right to intervene, the court is directed to conduct a new dispositional hearing. If a tribe does not exercise a right to intervene, the court is authorized to reinstate the previous disposition order. This opinion is final immediately as to this court. (Cal.Rules of Court, rule 24(b)(3).) O'Rourke, J.;  
We Concur: Huffman, Acting P.J., Nares, J.

**D041590        People v. Springs**

The judgment is affirmed. McIntyre, J.; We Concur: Huffman, Acting P.J., Aaron, J.

**D040738        People v. Lee**

The judgment is affirmed. Irion J.; I Concur: Huffman, Acting P.J.;  
I Concur in the Result: McDonald, J.

**D040426        People v. Sexton**

The judgment is affirmed. McIntyre, J.; We Concur: Nares, Acting P.J., Aaron, J.

**D042153        People v. Gomez**

The judgment is affirmed. Benke, Acting P.J.; We Concur: Nares, J., Haller, J.

**D042343        In re Tristan D., a Juvenile**

We reverse the judgment terminating Gary's parental rights and remand the matter to the superior court for further proceedings, including a new jurisdiction and disposition hearing. McConnell, P.J.;  
We Concur: Nares, J., Haller, J.

COURT OF APPEAL OF THE STATE OF CALIFORNIA  
FOURTH APPELLATE DISTRICT  
DIVISION ONE  
November 25, 2003 (Continued)

**D040282      Mercury Casualty Company v. Maloney**

The judgment is reversed and the matter is remanded with directions for the trial court to enter a new judgment in favor of Mercury. CERTIFIED FOR PUBLICATION. McIntyre, J.;  
We Concur: Huffman, Acting P.J., Nares, J.

**D041451      Hines v. Serocki**

The judgment is affirmed. McConnell, P.J.; We Concur: Benke, J., Haller, J.

**D040361      A.B.H. Investments, Inc., et al. v. Narven Enterprises, Inc., et al.**

The judgment in favor of defendant BF is affirmed. The judgment in favor of defendants Baxter and Narven is reversed. The trial court is directed to enter summary adjudication in favor of Baxter and Narven as to the fourth cause of action for declaratory relief. Appellants' claim that the trial court erred in denying their motion to vacate the judgment is moot. McIntyre, J.; We Concur: Huffman, Acting P.J., Nares, J.

**D042412      In re Hunter K., a Juvenile**

The judgment is affirmed. Haller, J.; We Concur: McConnell, P.J., Nares, J.

**D043170      American Bankers Insurance Company of Florida et al. v. Superior Court of San Diego County/Eisenberg**

The petition is denied.

**D041268      LeBeau v. Vaughn**

The judgment is affirmed. Costs to Vaughn on appeal. Haller, Acting P.J.; We Concur: McDonald, J., O'Rourke, J.

**D042328      Mussey Grade Park, LLC et al. v. Pine et al.**

**D043126      Mussey Grade Park, LLC et al. v. Pine et al.**

The above-entitled appeals are ordered consolidated.

**D043257      A.A. v. Superior Court of San Diego County/People**

Let a writ of prohibition issue directing the superior court to vacate its order of November 13, 2003, enter an order consistent with this opinion and release A. from detention on the charges subject to this petition. This opinion is made final immediately as to this court. (Rule 24(b)(3).) Benke, Acting P.J.;  
We Concur: McIntyre, J., Aaron, J.

COURT OF APPEAL OF THE STATE OF CALIFORNIA  
FOURTH APPELLATE DISTRICT  
DIVISION ONE  
November 26, 2003

**D041783        Global Minerals & Metals Corporation v. Superior Court of San Diego  
County/National Metals, Inc., et al.**

The opinion filed November 12, 2003 is ordered certified for publication.

**D042920        Ray K. v. Superior Court of San Diego County/San Diego County Health and  
Human Services Agency**

The petition is denied. McIntyre, J.; We Concur: McConnell, P.J., Huffman, J.

**D040475        People v. Cole et al.**

The order granting the preliminary injunction is reversed to the extent it allowed the continued advertising by Pearle of optometric services with a disclaimer that the services were provided by Pearle VisionCare and enjoined Pearle VisionCare from charging a fee for dilating patients eyes with eye drops. The court is directed to modify the order granting preliminary injunction to provide that "Pearle is prohibited from conducting any advertising in California that expressly or impliedly advertises the furnishing of optometric services, including eye examinations and statements alluding to doctors, optometrists, and the like." In all other respects the injunction order is affirmed. The order granting Management's motion to quash service is affirmed. The parties shall bear their own costs on appeal. CERTIFIED FOR PUBLICATION. Nares, J.; We concur: Huffman, Acting P.J., Aaron, J.

**D043250        Snipes v. Superior Court of San Diego County/People**

The petition is denied.